

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

WARREN EASTERLING,	:	
Plaintiff,	:	
v.	:	Case No. 3:14-cv-226
JUDGE DALE CRAWFORD,	:	JUDGE WALTER H. RICE
Defendant.	:	

DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATIONS (DOC. #36);
OVERRULING PLAINTIFF'S OBJECTIONS THERETO (DOC. #37);
OVERRULING PLAINTIFF'S MOTION FOR RELIEF FROM JUDGMENT
UNDER FED. R. CIV. P. 60(b) (DOC. #35); JUDGMENT TO ENTER IN
FAVOR OF DEFENDANT AND AGAINST PLAINTIFF; CASE TO
REMAIN TERMINATED ON DOCKET

Pursuant to Federal Rule of Civil Procedure 60(b), Plaintiff Warren Easterling filed a Motion for Relief from Judgment, Doc. #35. He challenges the Court's March 2, 2015, Decision and Entry, Doc. #33, which overruled Plaintiff's Motion for Summary Judgment, overruled Plaintiff's Motion to Recuse the Undersigned, sustained Defendant's Motion to Dismiss, and ordered that Judgment be entered in favor of Defendant and against Plaintiff.

Plaintiff cites fraud as the basis for his motion, claiming that: (1) the undersigned is biased and had a duty to recuse himself after entering an Order barring Plaintiff from entering the federal courthouse; (2) 28 U.S.C. § 1331 trumps

the *Rooker-Feldman* doctrine; (3) the Court erred in holding that Plaintiff had failed to state a viable claim against Judge Crawford; and (4) because of “fraud on the court,” all orders and judgments of the Court are void. Doc. #35.

On March 30, 2015, United States Magistrate Judge Michael R. Merz, issued a Report and Recommendations, Doc. #36, recommending that the Court overrule Plaintiff’s motion because, regardless of Plaintiff’s belief that the Order barring him from the federal courthouse was invalid, the Court’s issuance of that Order was not fraudulent, and provided no basis for recusal. Magistrate Judge Merz further noted that Plaintiff’s argument, that 28 U.S.C. § 1331 trumps the *Rooker-Feldman* doctrine, has been repeatedly rejected by this Court.

Based on the reasoning and citations of authority set forth by Magistrate Judge Merz in his March 30, 2015, Report and Recommendations, Doc. #36, as well as on a thorough *de novo* review of this Court’s file and the applicable law, the Court ADOPTS said judicial filing in its entirety. Plaintiff’s Objections, Doc. #37, are OVERRULED as meritless. As explained in the Court’s March 2, 2015, Decision and Entry, Doc. #33, this Court has no appellate jurisdiction over state court judgments, regardless of whether Plaintiff is seeking money damages or injunctive relief.

Accordingly, the Court OVERRULES Plaintiff’s Motion for Relief from Judgment, Doc. #35. Judgment shall be entered in favor of Defendant and against Plaintiff. This case shall remain terminated on the Court’s docket.

Date: September 8, 2015

A handwritten signature in black ink, appearing to read "Walter H. Rice", written above a horizontal line.

WALTER H. RICE
UNITED STATES DISTRICT JUDGE